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6   IN THE UNITED STATES DISTRICT COURT

7   FOR THE DISTRICT OF ARIZONA

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9   Edel Molina and Maria Hernandez,   )   No. CV09-01836-PHX-MEA
)
10   Plaintiffs,   )   **ORDER**
)
11 vs.   )
)
12   )
    GMAC Mortgage LLC; Residential)
13 Funding Company, LLC; fka Residential)
    Funding Corporation; The Bank of New)
14 York Trust Company N.A.; Mortgage)
    Electronic Registration Systems, Inc.; John)
15 Does 1-100,   )
)
16   Defendants.   )
)
17 _____)

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19   Pursuant to Rule 3.8(a), United States District Court for the District of Arizona Local

20 Rules of Civil Procedure, effective December 1, 2004, all civil cases are, and will be,

21 randomly assigned to a United States district judge or to a United States magistrate judge.

22 This matter has been assigned to the undersigned United States magistrate judge.
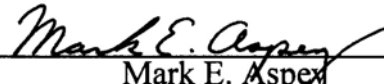
23   As a result of this rule, if all parties consent in writing, the case will, pursuant to 28

24 U.S.C. § 636(c)(1), remain with the assigned magistrate judge for all purposes, including a

25 trial, if necessary, and the final entry of judgment. If any party chooses the district judge

26 option, the case will automatically and immediately be randomly reassigned to a district

27 judge. To either consent to the jurisdiction of the assigned magistrate judge or to elect to

28 have the case heard before a district judge, the appropriate section of the relevant form

1 (entitled Consent to Exercise of Jurisdiction By United States Magistrate Judge)[1] must be

2 completed, signed and filed. Each party must file a completed consent form with the Clerk

3 of the Court no later than 20 days after they have entered an appearance in the matter, and

4 each party must serve a copy of the completed consent form upon all parties of record in the

5 case. Any party is free to withhold consent to magistrate judge jurisdiction without adverse

6 consequences. See 28 U.S.C. § 636(c)(2) (1993 & Supp. 2006); Fed. R. Civ. P. 73(b) (2006);

7 Anderson v. Woodcreek Venture Ltd., 351 F.3d 911, 914 (9th Cir. 2003).

8   Accordingly,

9   **IT IS ORDERED that Plaintiffs** shall execute and file within 20 days of the entry

10 of this order its written election to either consent to the exercise of jurisdiction over this

11 matter by a magistrate judge or a written election to have this case reassigned to a United

12 States district judge.

13   DATED this 4th day of September, 2009.

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16   Mark E. Aspey
      United States Magistrate Judge

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[1] The consent/election form may be obtained directly from the Clerk of the Court or by accessing

27 the District of Arizona's Internet web site at www.azd.uscourts.gov. To find the consent/election form
   on the District's web site, click on "Local Rules" at the top of the home page, then click on "Forms" on

28 the left side of the page and then click on and print the appropriate form.